







United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Bo≪1450 Alexahdria, Virginia 22313-1450 www.uspto.góv

APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/033,085	ı	0/25/2001	Rebekah R. Sadiow		8485
	7590	03/01/2004		EXAM	INER
Robert J. D			DEAK, LESLIE R		
11 George St. Barrington, RI 02806				ART UNIT	PAPER NUMBER
				3762	
				DATE MAILED: 03/01/2004	1 2

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Application								
## Death Park Park		Application No.	Applicant(s)					
Leslie R. Deak 3762 - The MAILING DATE of this communication appears on the cover she { with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eathermore of the many by a evaluation of the problems of JCRF 1.136(s). In no evant, however, may a reply be limitely filled Eathermore of the many by a evaluation of the problems of JCRF 1.136(s). In no evant, however, may a reply be limitely filled Eathermore of the problems of JCRF 1.136(s). In no evant, however, may a reply be limitely filled If the period for reply aspecial above is less than this; (20) stays, a reply within the databory minimum of thirty (30) stays will be considered timely. If the period for reply aspecial advance is less than this; (20) stays, a reply within the databory minimum of thirty (30) stays will be considered timely. If the period for reply aspecial advance is less than this; (20) stays, a reply within the databory minimum of thirty (30) stays will be considered timely. If the period for reply aspecial advance is less than this; (20) stays, a reply with the databory minimum of thirty (30) stays will be considered timely. If the period for reply aspecial advance is less than this; (20) stays are period for the maining date of this communication, and the stay of the stay o		10/033,085	SADIOW, REBEKAH R.					
- The MAILING DATE of this communication appears on the cover she it with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extension of an may be available under the provisions of 37 CPR 1.136(a), in no event, however, may a reply be timely filled and the provisions of 37 CPR 1.136(a), in no event, however, may a reply be timely filled and the provisions of 37 CPR 1.136(a), in no event, however, may a reply be timely filled and the provisions of 37 CPR 1.136(a), in no event, however, may a reply be timely filled and the provisions of 37 CPR 1.136(a), in no event, however, may a reply be timely filled and the provision of the provision	Offic Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Editerations of three may be available under the provisions of 37 CFR 1.35(a). In no event, however, may a reply be timely filed Eliferation of three may be available under the provisions of 37 CFR 1.35(a). In no event, however, may a reply be timely filed Eliferation of three provisions are provided as the set has the time available of the set and the statutory minimum of thirty (30) days will be considered timely. If the period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. The provision of the pro								
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edeanions of them may be available unifor the provisions of 3 CPR 1.138(a), in no event, however, may a reply be timely filled Edeanions of them may be available uniform of 3 CPR 1.138(a). In no event, however, may a reply be timely filled If the period for reply specified above is less than thinky (30) days, a ceply within the statutory minimum of thinky (30) days, will be considered timely. If the period for reply specified above is less than thinky (30) days, a ceply within the statutory minimum of thinky (30) days, will be considered timely. If the period for reply specified above is less than thinky (30) days, a ceply within the statutory minimum of the period of the communication. Fallules to reply within the sol or extended period for reply well, by attents, cause this application the manifing date of this communication. Fallules to reply within the sol or extended period for reply well, by attents, and an advantage of the communication, even if the substitution of the cause of the communication. Allow the above chain (s)		ication appears on the cover she t w	vith the correspondence address					
1)⊠ Responsive to communication(s) filed on 25 October 2001. 2a)□ This action is FINAL. 2b)⊠ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 □ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 □ Claim(s) is/are allowed. 6 □ Claim(s) 1-15 is/are rejected. 7 □ Claim(s) is/are objected to. 8 □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9 □ The specification is objected to by the Examiner. 10 □ The drawing(s) filed on 10/25/01 is/are: a)□ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☑ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statem(a) (PTO-1449 or PTO/SB06)	A SHORTENED STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNI - Extensions of time may be available under the provisions after SIX (6) MONTHS from the mailing date of this comm - If the period for reply specified above, the maximum states of the period for reply is specified above, the maximum states of the period for reply within the set or extended period for reply Any reply received by the Office later than three months a	CATION. of 37 CFR 1.136(a). In no event, however, may a nunication. D) days, a reply within the statutory minimum of that attutory period will apply and will expire SIX (6) MO will. by statute, cause the application to become A	reply be timely filed rty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).					
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10/25/0f is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Draftspersons Patent Drawing Review (PTO-948) 3) Notice of Informal Patent Application (PTO-152)	Status							
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are rejected. 7) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10/25/0f is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Draftspersons Patent Drawing Review (PTO-948) 3) Notice of Informal Patent Application (PTO-152)	1) Responsive to communication(s) file	ed on <u>25 October 2001</u> .						
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)								
4) ☐ Claim(s) 1-15 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are objected to. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on 10/25/01 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☒ Notice of References Cited (PTO-892) 1) ☐ Notice of Informal Patent Application (PTO-152)	• •	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) ☒ Claim(s) is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) ☒ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☒ Notice of References Cited (PTO-892) □ Notice of Oraftsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) □ Notice of Informal Patent Application (PTO-152)	Disposition of Claims							
9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 10/25/01 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 5) Notice of Informal Patent Application (PTO-152)	4a) Of the above claim(s) is/ar 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) <u>1-15</u> is/are rejected. 7) ☐ Claim(s) is/are objected to.	re withdrawn from consideration.						
10) The drawing(s) filed on 10/25/01 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 10 Notice of Informal Patent Application (PTO-152)	Application Papers							
Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	10) The drawing(s) filed on 10/25/01 is/a Applicant may not request that any object Replacement drawing sheet(s) including	re: a) accepted or b) objected in abeyang the correction is required if the drawin	nce. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1.121(d).					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)		by the Examiner. Note the attache	d Office Action of John 1 10-152.					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	12) Acknowledgment is made of a claim a) All b) Some * c) None of: 1. Certified copies of the priority 2. Certified copies of the priority 3. Copies of the certified copies application from the Internatio	documents have been received. documents have been received in a of the priority documents have bee nal Bureau (PCT Rule 17.2(a)).	Application No n received in this National Stage					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date Notice of Informal Patent Application (PTO-152)								
	 2) Notice of Draftsperson's Patent Drawing Review (P 3) Information Disclosure Statement(s) (PTO-1449 or 	PTO-948) Paper No. 5) Notice of	(s)/Mail Date Informal Patent Application (PTO-152)					



Application/Control Number: 10/033,085

Art Unit: 3762

DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 4,435,179 to Walker. Walker discloses a blood bag 1 with clear sides and a liquid therein. The bag comprises a connecting device or a cannula, 5, with a communicating portion or fluid delivery means 7. The device further comprises a hollow tube 3 and a break-off portion 8, that may be tinted, connected to the tubing via a weakened fracturing area 9. The break-off portion may have a lower specific gravity of the fluid in the bag, allowing it to float when broken off. See columns 2-3. Walker does not specifically disclose a liquid barrier seal and a piercing end, but he discloses such devices in column 1. Therefore, such an embodiment is within the contemplation of the inventor, and it would have been obvious to one of ordinary skill in the art at the time of invention to add a liquid barrier seal and a piercing member to the disclosed Walker apparatus in order to preserve the sterility of the bag and allow the connector to breach the seal.

Application/Control Number: 10/033,085

Art Unit: 3762

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. US 4,340,049

Munsch

- i. Breakaway valve for use in dispensing
- b. US 5,853,111

Bongers et al

- ii. Dispenser with floating ball at liquid level
- c. US 5,133,479

Boyte, Sr.

- iii. Liquid container with floating stopper
- d. US 5,370,266

Woodruff

iv. Dispenser with floating ball

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leslie R. Deak whose telephone number is 703-305-0200. The examiner can normally be reached on M-F 7:30-5:00, every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 703-308-5181. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Application/Control Number: 10/033,085

Art Unit: 3762

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANGELA D. SYKES SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700

angel D. Alpy